

House File 2628 - Introduced

HOUSE FILE _____
BY COMMITTEE ON PUBLIC SAFETY
(SUCCESSOR TO HSB 749)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act including a portable device or weapon directing an
2 electric current, impulse, wave, or beam that produces a
3 high-voltage pulse designed to immobilize a person in the
4 definition of a dangerous weapon and making penalties
5 applicable.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5590HV 82
8 rh/rj/14

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1 1 Section 1. Section 702.7, Code 2007, is amended to read as
1 2 follows:
1 3 702.7 DANGEROUS WEAPON.
1 4 A "dangerous weapon" is any instrument or device designed
1 5 primarily for use in inflicting death or injury upon a human
1 6 being or animal, and which is capable of inflicting death upon
1 7 a human being when used in the manner for which it was
1 8 designed. Additionally, any instrument or device of any sort
1 9 whatsoever which is actually used in such a manner as to
1 10 indicate that the defendant intends to inflict death or
1 11 serious injury upon the other, and which, when so used, is
1 12 capable of inflicting death upon a human being, is a dangerous
1 13 weapon. Dangerous weapons include, but are not limited to,
1 14 any offensive weapon, pistol, revolver, or other firearm,
1 15 dagger, razor, stiletto, switchblade knife, ~~or~~ knife having a
1 16 blade exceeding five inches in length, or any portable device
1 17 or weapon directing an electric current, impulse, wave, or
1 18 beam that produces a high-voltage pulse designed to immobilize
1 19 a person.

1 20 EXPLANATION

1 21 This bill includes any portable device or weapon directing
1 22 an electric current, impulse, wave, or beam that produces a
1 23 high-voltage pulse designed to immobilize a person in the
1 24 definition of a dangerous weapon for purposes of the criminal
1 25 code.
1 26 The bill subjects a person who possesses or uses such a
1 27 device or weapon in the commission of certain crimes,
1 28 including but not limited to certain crimes including domestic
1 29 abuse assault, an assault in violation of individual rights,
1 30 an assault on a person engaged in a certain occupation,
1 31 intimidation with a dangerous weapon, going armed with intent,
1 32 stalking, disarming a peace officer of a dangerous weapon,
1 33 sexual abuse in the second degree, kidnapping in the second
1 34 degree, robbery in the first degree, burglary in the first
1 35 degree, attempted burglary in the first degree, burglary in
2 1 the second degree, attempted burglary in the second degree,
2 2 interference with official acts, and carrying a dangerous
2 3 weapon, to certain criminal penalties, ranging from a serious
2 4 misdemeanor to a class "B" felony. The bill also subjects a
2 5 person who is guilty of a forcible felony who was in the
2 6 immediate possession and control of a dangerous weapon,
2 7 displayed a dangerous weapon in a threatening manner, or was
2 8 armed with a dangerous weapon while participating in the
2 9 forcible felony to a mandatory minimum sentence of five years.
2 10 The bill also applies certain Code provisions relating to
2 11 uniform school requirements and the use and possession of
2 12 dangerous weapons by a student on school grounds.
2 13 LSB 5590HV 82
2 14 rh/rj/14